

## Exhibit 1

### Public Nuisance Statutes Focused On Property

#### Louisiana

*La. Stat. Ann. § 13:4711*

A. For the purposes of this Subpart, the following terms shall have the following definitions:

(1) “Maintenance of a nuisance” means to conduct, carry on, or knowingly permit to exist **on one's premises** a prohibited activity as defined in this Subsection.

(2) “Notice of violation” means a written notice advising the **owner, tenant, occupant, operator, or other proprietary party** of instances in which the **premises** have been used for prohibited activities and rendering the **premises** subject to an action for abatement of a public nuisance.

(3) “Premises” means any **building, structure, land, watercraft, or movable** owned or occupied by any proprietary party or representative thereof. Premises does not mean any premises which are regulated by Title 26 of the Louisiana Revised Statutes of 1950.

...

(5) “Proprietary party” means an **owner, lessee, sublessee, tenant, operator, or occupant of any premises** covered by this Subpart.

...

B. Maintenance of a nuisance in or upon **any premises** by a proprietary party, his representative, or any person acting in active concert with him or them may be enjoined as provided in this Subpart. Maintenance of the same nuisance at any other **location within the jurisdictional area** of the court issuing the injunction by such individuals may be enjoined in such action.

C. An order of abatement directing the effectual **closing of the premises** in question may be entered as part of the judgment in the case as provided in R.S. 13:4715.

*La. Stat. Ann. § 40:14*

Parish health units may, through the parish governing authority, control and administer all matters of local sanitation not generally affecting other portions of the state. They may pass local health and sanitary ordinances and define and **abate nuisances dangerous to the public health of that parish only**. They may also regulate drainage and ventilation with reference to human habitation and places of business and public resort; provide for the disposition of fecal matter and garbage and waste subject to provisions of state law and the sanitary code; regulate the erection of buildings, with due regard to the filling and grading of lots, and the arrangement of buildings; provide for the vacation and demolishing of buildings when necessary for the protection of public health; and generally enforce all health and sanitary ordinances so adopted. However, these rules, ordinances and regulations shall not conflict with the rules and regulations of the sanitary code and

shall not be less restrictive than the state sanitary code and may provide and regulate with respect to health matters not covered by the sanitary code.

### **Maine**

*Me. Rev. Stat. Ann. tit. 17, § 2701*

Any person injured in his **comfort, property or the enjoyment of his estate** by a common and public or a private nuisance may maintain against the offender a civil action for his damages, unless otherwise specially provided.

*Me. Rev. Stat. Ann. tit. 17, § 2702*

[T]he court . . . may order the nuisance abated or removed at the expense of the defendant. After inquiring into and estimating, as nearly as may be, the sum necessary to defray the expense thereof, the court may issue a warrant therefor substantially in the form following: . . .

[Defendant] was adjudged guilty of **erecting**,” [“causing,” or “continuing,”] “a certain nuisance, being a **building** in . . . said county,” (or “**fence**,” or other **thing**, describing particularly the nuisance and **the place**,) “which nuisance was ordered by said court to be abated **and removed**: We therefore command you forthwith to cause said nuisance to be abated and removed; also that you **levy of the materials by you so removed**, and of the goods, chattels and lands of said C. D., a sum sufficient to defray the expense of removing and abating the same . . .

### **Minnesota**

*Minn. Stat. § 617.81*

“[A] public nuisance exists . . . upon proof of two or more separate behavioral incidents described in item . . . (iii) . . . committed within the previous 12 months **within the building**: (iii) maintaining a public nuisance in violation of section 609.74, clause (1) or (3).

*Minn. Stat. § 617.80*

“**Building**” means a structure suitable for human shelter, a **commercial structure that is maintained for business activities** that involve human occupation, any portion of the structure, or the land surrounding the structure.

### **South Dakota**

*S.D. Codified Laws § 21-10-6*

A public nuisance may be abated without civil action by any public body or officer as authorized by law. Any municipality, county, or township may defray the cost of abating a public nuisance by taxing the cost thereof **by special assessment against the real property on which the nuisance occurred**. If the nuisance abated is an unsafe or dilapidated building, junk, trash, debris, or similar nuisance arising from the condition of the property, the municipality, county, or

township may commence a civil action against the owner of the real property for its costs of abatement in lieu of taxing the cost by special assessment.

Any private person may also abate a public nuisance which is specially injurious to such person or any private nuisance injurious to such person **by removing or if necessary destroying that which constitutes the nuisance** without committing a breach of the peace or doing unnecessary injury. If a private nuisance results from a mere omission of the wrongdoer, and cannot be abated without entering upon the wrongdoer's land, reasonable notice shall be given to the wrongdoer **before entering to abate it.**

### **Tennessee**

*Tenn. Code Ann. § 29-3-101*

“Nuisance” means that which is declared to be a nuisance by other statutes, and, in addition, means:  
(A) Any **place** in or upon which . . . unlawful sale of any regulated legend drug, narcotic, other controlled substance or controlled substance analogue . . . and personal property, contents, furniture, fixtures, equipment and stock used in or in connection with the conducting and maintaining any such **place** for any such purposes.